

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-22338-CIV-ALTMAN/Reid

TEMURBEK HIKMATULLAEV *et al.*,

Plaintiffs,

v.

MARCO ALESSANDRO VILLA *et al.*,

Defendants.

**AGREED ORDER REQUIRING THIRD-PARTY RESPONDENT COINBASE, INC.
TO TRANSFER ASSETS TO PLAINTIFFS AND REQUIRING DISMISSAL OF
PLAINTIFFS' CLAIMS AGAINST COINBASE, INC.**

The Plaintiffs (Temurbek Hikmatullaev and Asatilla Yakvalkhodjaev), the Defendants (Marco Alessandro Villa, Giorgio Mariani, and Lumech, Inc.), and the Third-Party Respondent Coinbase Inc. (collectively, the “Parties”), agreed to the following, which we adopt. Accordingly, we hereby **ORDER and ADJUDGE** that:

1. Based on the information provided by the Plaintiff, Coinbase located the following accounts belonging to the Defendant Marco Alessandro Villa (associated with the email address ****72@me.com) (the “Villa Account”) and to the Defendant Giorgi Mariani (associated with email *****@battubelin.com) (the “Mariani Account”)¹;

2. Coinbase restricted the Villa Account and the Mariani Account in accordance with the TRO served in this action;

3. Coinbase was unable to identify accounts belonging to any of the other Defendants;

4. Pursuant to the Court’s August 4, 2023 Order, Coinbase will transfer 599,729.649826 USDT (the “USDT Assets”) from the Villa Account to the following non-Coinbase wallet address

¹ The email addresses associated with these accounts have been partially redacted for privacy reasons.

provided by the Plaintiffs: 0xd4e5bb957d74074039365d2e732c1f46f1d407cc (“Plaintiffs’ Wallet”).

The transfer will be done pursuant to the following conditions:

- A. Within two business days of the entry of this Order, Coinbase shall send an initial test transaction (“Test Send”) of \$100 USDT to the Plaintiffs’ Wallet from the Villa Account.
 - B. The Plaintiffs will confirm receipt of the Test Send in writing via email to Coinbase’s counsel or another individual agreed to by the Plaintiffs and Coinbase.
 - C. Within one business day of receipt of the Plaintiffs’ written confirmation of the Test Send, Coinbase will initiate the transfer of the remaining USDT Assets from the Villa Account to the Plaintiffs’ Wallet (the “Final Transfer”).
5. The Parties expressly agree and acknowledge that the Test Send and Final Transfer of the USDT Assets from the Villa Account to the Plaintiffs’ Wallet is irreversible. There is no option for Coinbase to claw back or otherwise reverse the transactions once made. Coinbase shall not be held liable by the Plaintiffs in any cause of action, claim, demand or suit if the Test Send or Final Transfer is not received by the Plaintiffs due to no fault of Coinbase.
6. Coinbase retains the right to replace or add restrictions to the Villa Account or the Mariani Account at any time, consistent with Coinbase’s User Agreement;
7. Within three business days of the Final Transfer, the Plaintiffs shall file with the Court a Notice of Dismissal with Prejudice of the Complaint in as to Coinbase in this action and provide the Parties with a filed copy of the Dismissal.

DONE AND ORDERED in the Southern District of Florida on September 1, 2023.

A handwritten signature in black ink, appearing to be 'Roy K. Altman', written above a horizontal line.

ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record